

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CHARLES CULLEN,

Plaintiff,

-against-

KILOLO KIJAZAKI,

Defendant.

23-cv-1690 (AS)

ORDER

ARUN SUBRAMANIAN, United States District Judge:

Plaintiff Charles Cullen challenges the final decision of the Commissioner of the Social Security Administration on the grounds that the Administrative Law Judge (ALJ) who decided his case made certain legal and factual errors. Compl., Dkt. 1. The matter was referred to Magistrate Judge Lehrburger, and the parties cross-moved for judgment on the pleadings. Dkts. 7, 14 at 24, 18 at 1 n.1. Magistrate Judge Lehrburger issued a report and recommendation (R&R), Cullen filed objections, and the Commissioner responded. Dkts. 22, 25, 29.

The Court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b). The Court reviews de novo “those portions of the report or specified proposed findings or recommendations to which objection is made.” § 636(b)(1); Fed. R. Civ. P. 72(b)(3) (“The district judge must determine de novo any part of the magistrate judge’s disposition that has been properly objected to.”).

The Court has reviewed Cullen’s objections to the R&R, which restate the arguments presented to Magistrate Judge Lehrburger, and which Magistrate Judge Lehrburger addressed in painstaking detail. The Court has also reviewed the record and R&R de novo. The Court adopts the thorough, well-reasoned R&R for the reasons given by Magistrate Judge Lehrburger. The Court OVERRULES Cullen’s objections to the R&R, ORDERS that the R&R is ADOPTED in its entirety, DENIES Plaintiff’s motion for judgment on the pleadings, and GRANTS Defendant’s motion for judgment on the pleadings.

The Clerk of Court is directed to close the case.

SO ORDERED.

Dated: March 18, 2024
New York, New York



ARUN SUBRAMANIAN
United States District Judge